

back to work for 6 weeks. But the most important thing is to end the \$300 and to let people once again have the opportunity to pursue their American dream, which is not unemployment; it is getting a job. With 8.1 million jobs being offered—a historic number, the most ever—it is time to make that change.

I urge my colleagues and I urge the administration to change course.

I yield back my time.

The PRESIDING OFFICER. The Senator from Iowa.

NOMINATION OF KRISTEN M. CLARKE

Mr. GRASSLEY. Mr. President, I will not be voting to discharge the nominee Kristen Clarke to run the Civil Rights Division of the Department of Justice, so I come to the floor to explain to my colleagues why I feel this way.

While Ms. Clarke may be a very good attorney—in fact, I don't think there is any doubt that she is—she continues the trend of politicized nominees to the Justice Department under this President. While I disagree with her strongly on some of her views, especially when it comes to defunding the police, my issues with Ms. Clarke go beyond that.

The Justice Department and especially the Civil Rights Division need to be committed to impartial and equal justice. In the wrong hands, the Civil Rights Division can be used to target and harass the President's political opponents. It can threaten law enforcement, school choice advocates, religious schools, red States, and profilers.

This isn't a hypothetical. Under Ms. Gupta, the Civil Rights Division defended an effort to take over Louisiana's school choice program. Now, can you imagine that? Luckily, a group of African-American mothers stopped them in the Fifth Circuit. Just think—African Americans stopped an obvious injustice by the Justice Department.

The fact is that our civil rights laws are broad, and the mere threat of their enforcement can chill legitimate political opposition. Because of that, I think that the head of the Civil Rights Division needs to be above reproach when it comes to partisanship.

Unfortunately, Ms. Clarke is a liberal partisan. She has opposed the enforcement of the law against Ike Brown, a Mississippi voter suppressor, either because of the color of his skin or because he was a Democrat. Neither answer is acceptable. She has disparaged religious freedom groups like the Alliance Defending Freedom. She has opposed important Supreme Court decisions protecting religious liberty, individual Supreme Court Justices, and even some of my colleagues. She has held Republican nominees to a standard she didn't want to apply to herself.

Ms. Clarke has run away from her record. I asked her at the hearing whether Mumia Abu-Jamal, the country's most notorious cop killer, was a political prisoner, like someone said at a conference that she helped organize.

She wouldn't answer, telling me she was unfamiliar with the case. Given her youthful activism, I find that very hard to believe. Last summer, she wrote an article in Newsweek advocating for defunding the police, but she insists the words on the page aren't what she meant. I am sorry, but if it is not what she meant, then she shouldn't have said it.

I don't think she is the right person for this job at this time. A nominee to lead the Civil Rights Division should be nonpartisan, should be independent, and should be upfront about her beliefs. Unfortunately, I think Ms. Clarke misses all three marks.

As I have said, I don't want to return to the Eric Holder days, so I will vote no.

I yield the floor.

The PRESIDING OFFICER (Mr. MARKY). The majority leader.

Mr. SCHUMER. Good afternoon.

The PRESIDING OFFICER. Good afternoon.

Mr. SCHUMER. I am adding a little stability and friendship to these august proceedings, I hope you realize.

VOTE ON MOTION

Mr. President, I know of no further debate on the motion.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the motion to proceed.

The motion was agreed to.

ENDLESS FRONTIER ACT

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1260) to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes.

AMENDMENT WITHDRAWN

Mr. SCHUMER. Mr. President, I ask unanimous consent to withdraw the committee-reported substitute amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was withdrawn.

AMENDMENT NO. 1502

(Purpose: In the nature of a substitute.)

Mr. SCHUMER. Mr. President, I call up amendment 1502.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 1502.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. SCHUMER. Mr. President, I am going to speak on this amendment for a minute, then we will move to the motion to discharge Kristen Clarke.

Mr. President, I have just filed a substitute amendment to the Endless Frontier Act that will pull together bipartisan legislation from across the Senate committees into a single comprehensive bill to restore America's competitive edge.

This new bill will be called the U.S. Innovation and Competition Act, and it will include bipartisan legislation from the Foreign Relations Committee to strengthen our alliances and hold China accountable for predatory trade practices; bipartisan legislation from the Homeland Security committee to invest in AI, cyber security, and policies to make sure American taxpayer money is used to buy American products; bipartisan legislation from the HELP Committee to protect our research and invest in STEM; bipartisan legislation from the Judiciary Committee to bolster antitrust enforcement; bipartisan legislation from Banking to sanction predatory behavior from the Chinese Communist Party. And, very importantly, the substitute amendment will now include a historic \$52 billion investment to make sure the United States stays on the cutting edge of chip production—semiconductor chip production—which is essential for this country's economy, including our auto industry, our tech industry, and our military.

Again, this legislation will now include a historic and immediate infusion of Federal money in the semiconductor industry to boost domestic production and shore up critical supply chains.

This is a very big deal. It fits in with the concept of the Endless Frontier Act, and I am very pleased it will be in the bill.

American manufacturing has suffered rather dramatically from a chip shortage. We have all heard about auto plants in our States that are closed or operating in reduced capacity because they can't get the chips. The shortage in our tech industry shows how vulnerable our supply chains are.

We simply cannot rely on foreign processors for chips. This amendment will make sure we don't have to.

America invented the semiconductor chip. We are still at the cutting edge of research, but fewer than 12 percent of them are made in America. And if this bill doesn't pass, it will go down to 6. Other countries—notably, China—will become the leaders, not just in chip manufacturing and chip production but in the many industries that depend on chips. We cannot let that happen.

The best way to do that is to add this amendment to the bill, which I have just done, and make sure it passes.

The substitute amendment is dramatic not only in terms of chips but in terms of American investment in research, in science, and innovation. When we invest in research and science and innovation, millions of good-paying jobs follow, and the American economy leads the world. Our failure to invest will displace us from that position and all too soon.

All told, the substitute amendment will mean that the legislation we are about to debate is the product of a half a dozen Senate committees, with input from just about every Member of the Senate. This legislation, I am proud to say, is thoroughly bipartisan, and it shows. When our colleagues will work with us, we want to work together whenever we can.

Now, these policies may sound complicated, but they are propelled by a simple motivation—making sure the United States stays the global economic leader. In the 20th century, American prosperity was anchored in our unmatched capacity for innovation and invention. Researchers at American universities and laboratories fashioned marvels that changed the way we work, the way we communicate, and the way we live. American workers and businesses brought those innovations to a global market, producing the largest middle class in the world and an almost innate optimism about the future.

Here, unfortunately, in the 21st century, America is falling behind. Other countries are investing more in their economies and training their focus on beating the United States to the key technologies of the future. If we don't step up now—now, not 2 years from now—and if we don't step up in a big and bold way, we risk missing out on a generation of good-paying jobs, millions and millions of them. We risk ceding the mantle of global economic leadership to our adversaries. We risk losing the sunny optimism that has defined the American character for generations.

This is an issue where we can unite our country behind the goal of keeping America No. 1 in science and in technology, and this bill puts us a giant step closer to keeping America one step ahead for decades to come.

EXECUTIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to executive session. We are now on the motion to discharge.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

MOTION TO DISCHARGE

Mr. SCHUMER. Mr. President, pursuant to S. Res. 27, the Committee on the Judiciary being tied on the question of reporting, I move to discharge the Senate Committee on the Judiciary from further consideration of the nomination of Kristen M. Clarke, of the District of Columbia, to be an Assistant Attorney General.

I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Michigan (Ms. STABENOW) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 193 Ex.]

YEAS—50

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Lujan	Smith
Collins	Manchin	Tester
Coons	Markey	Van Hollen
Cortez Masto	Menendez	Warner
Duckworth	Merkley	Warnock
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Ossoff	Wyden
Hassan	Padilla	

NAYS—48

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Paul	Young

NOT VOTING—2

Murkowski Stabenow

The motion was agreed to.

The PRESIDING OFFICER. Pursuant to S. Res. 27 and the motion to discharge having been agreed to, the nomination will be placed on the Executive Calendar.

The Senator from Washington.

LEGISLATIVE SESSION

Mrs. MURRAY. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Washington.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION RELATING TO "UPDATE OF COMMISSION'S CONCILIATION PROCEDURES"—Motion to Proceed

Mrs. MURRAY. Mr. President, right now, Democrats are hard at work building back an economy that works for everyone, not just those at the top.

We are committed to fighting for workers. And we have big, bold ideas to do that, like establishing national paid sick, family and medical leave policies; rebuilding our childcare infrastructure; raising the Federal minimum wage to \$15 an hour; ending the wage gap; and strengthening our Nation's labor laws.

But after 4 years of nonstop attacks on workers' rights, it is also critical that we undo the damage done by the Trump administration. So I am urging my colleagues to join me in voting to overturn a Trump administration rule that imposed strict limits on the Equal Employment Opportunity Commission's ability to address workplace discrimination.

The EEOC is a critical Agency. It is responsible for holding employers accountable for following workplace discrimination laws. And when they don't, it is one of the few places a worker can go to make sure they get a fair hearing, accountability, and justice. But in January, the Trump administration's Republican Commissioners voted to finalize a rule that tipped the scales in favor of employers in EEOC's process to settle discrimination cases.

That rule gave employers access to information about the worker's case, but not the other way around. It made it easier for employers to demand the identity of victims and witnesses, increasing the risk of retaliation. And it was set to worsen the backlog of cases at the EEOC, forcing workers to wait longer for justice. Put simply, that rule was designed to make it easier for employers to delay or deny justice to workers who have experienced discrimination on the job.

We cannot accept a system that is designed to let employers get away with violating workers' rights. So we absolutely cannot let this rule stand. Let's overturn this rule and restore a fair settlement process for the tens of thousands of workers who file discrimination charges with the EEOC each year.

This is a small but important step in the fight to build a more fair and inclusive economy for all workers, and I believe every one of us who thinks workers deserve to do their jobs free from harassment and discrimination can support this.

Thank you.

Mr. President, I move to proceed to S.J. Res. 13.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

Motion to proceed to Calendar No. 33, S.J. Res. 13, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Equal Employment Opportunity Commission relating to "Update of Commission's Conciliation Procedures".

VOTE ON MOTION

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

Mrs. MURRAY. I ask for the yeas and nays.